

## REMARKS

Favorable reconsideration and allowance of the present application in view of the foregoing amendments and following remarks are respectfully requested.

Currently, claims 1-5 and 7-31 remain pending in the present application, including independent claims 1, 12, 22 and 27. Dependent claims 13-17 were indicated as being allowable in the latest office action.

Claim 1 is directed to an apparatus for cutting a web, while claim 12 is directed to a system for perforating a web. Claim 1 requires a mechanism for supporting a moving web, while claim 12 defines a web conveying means. Both claims further require a frame and at least three lasers mounted on the frame. As now amended, claims 1 and 12 both require the at least three lasers to form an array across the web from the first edge to the second edge of the web. The added language to claims 1 and 12 is similar to language that is contained in allowable claim 13.

In the Office Action, independent claims 1 and 12 were rejected under 35 U.S.C. § 103(a) as being unpatentable over EP0881024 to Imai in view of U.S. Patent No. 6,038,487 to Balster, et al. As now amended, however, Applicants submit that claims 1 and 12 patentably define over Imai either alone or in combination with Balster, et al. For example, as stated above, claims 1 and 12 have been amended to incorporate limitations that appear in allowed claim 13.

In addition, Imai fails to disclose or suggest an apparatus or system for cutting a web in which the web is severed in the cross machine direction. Instead, Imai is directed to a device for perforating cigarette paper strips in the machine direction. In fact, Imai states, in column 6 lines 66-67, the three lasers produce "three minute holes H, at a time, which are spaced in the traveling direction of the tip paper."

In the Office Action, Imai was combined with Balster, et al. in rejecting claims 1 and 12. The Office Action states that it would have been obvious to modify the apparatus disclosed in Imai to have a perforation line in the cross direction of the web as suggested by Balster, et al. It was not explained in the Office Action or is it clear, however, how the apparatus in Imai could somehow be modified in order to form perforations in the cross direction. In fact, the essence of the invention disclosed in Imai is the formation of perforations in a cigarette paper in the same direction as the paper is moving. Imai does

not disclose any configuration that would permit the perforations to be made in the cross machine direction. Thus, not only is there no motivation, incentive or suggestion to modify the apparatus in Imai as asserted in the Office Action, there is no teaching or disclosure as to how any such modification would occur. As such, it is respectfully submitted that it would not have been obvious to modify Imai in view of Balster, et al.

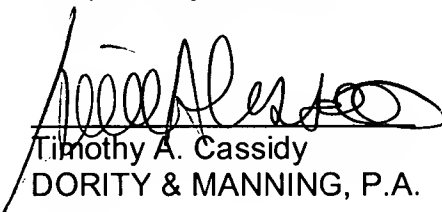
With this response, Applicants also present for consideration new claims 22-31, including independent claims 22 and 27. In essence, claim 22 is a combination of claim 1 and claim 15, while claim 27 is a combination of claim 12 and claim 15. Claim 15, which depends from claim 13, was indicated as being allowable in the latest office action.<sup>1</sup> Consideration and allowance of new claims 22-31 are respectfully requested.

In summary, it is believed that the present application as currently amended is in complete condition for allowance. Should any issues remain after consideration of this amendment, however, then Examiner Tawfik is invited and encouraged to telephone the undersigned at his convenience.

February 16, 2004

Date

Respectfully submitted,



Timothy A. Cassidy  
DORITY & MANNING, P.A.

P.O. Box 1449  
Greenville, SC 29602  
(864) 271-1592  
(864) 233-7342

---

<sup>1</sup> Please note that the units in claims 15-17 have been amended to be consistent with the specification on page 6. The change in units is not believed to affect the patentability of the claims.